

# TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

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March 10, 2008

TO: Internal File

THRU: James D. Smith, Permit Supervisor *JS 08/21/08*

FROM: Steve Christensen, Environmental Scientist III *SKC*

RE: 4<sup>th</sup> East Portal Facilities- Storage Area and Fence, Emery Deep Mine, C/015/0015, Task ID #2931 (Previous Task ID #2894)

## **SUMMARY:**

On December 26<sup>th</sup>, 2007, the Division of Oil, Gas and Mining (the Division) received an application from CONSOL Energy Company (the Permittee) to amend their 4<sup>th</sup> East Portal Surface facilities area (Task ID #2894). The application represents a minor revision to the approved MRP with the addition of a skid mounted shed and a fence line directly adjacent to the supply yard identified as #27 on Plate II-3, *4th East Portal Surface Facilities*.

Prior to obtaining Division approval for the expansion and construction work at the 4<sup>th</sup> East Portal facility, the Permittee performed the work outlined in the aforementioned submittal. On January 22<sup>nd</sup>, 2008, Division inspector Karl Houskeeper issued Citation #10018 for non-compliance. Citation #10018 was issued for failing to obtain a permit prior to mining and reclamation activities.

The following represents the Divisions second hydrologic analysis of the aforementioned amendment.

## **Findings:**

The amendment meets the requirements as provided for in the State of Utah R645-Coal Mining Rules and should be approved at this time.

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**TECHNICAL ANALYSIS:****OPERATION PLAN****HYDROLOGIC INFORMATION**

Regulatory Reference: 30 CFR Sec. 773.17, 774.13, 784.14, 784.16, 784.29, 817.41, 817.42, 817.43, 817.45, 817.49, 817.56, 817.57; R645-300-140, -300-141, -300-142, -300-143, -300-144, -300-145, -300-146, -300-147, -300-148, -301-512, -301-514, -301-521, -301-531, -301-532, -301-533, -301-536, -301-542, -301-720, -301-731, -301-732, -301-733, -301-742, -301-743, -301-750, -301-761, -301-764.

**Analysis:****Sediment Control Measures**

The application meets the Sediment Control Measures as outlined in the R645-Coal Mining Rules. A deficiency had been identified during the first technical analysis (Task ID #2894) with a berm that was depicted on submitted Plate II-3, *4<sup>th</sup> East Portal Surface Facilities*. Upon further review and subsequent phone conversations with John Gefferth from Consol, it was determined that the berm depicted on Plate II-3 was never constructed. A berm was initially planned for the site in order to facilitate surface drainage to Pond No. 9 and away from the country road right-of-way. The road that runs directly adjacent to the 4<sup>th</sup> East Portal Facility (Cowboy Mine Road No. 915) is an Emery Country Road. Emery County widened the road and it was determined that a berm was not necessary. Surface drainage generated in the 4<sup>th</sup> East Portal disturbed area drained naturally to Pond No. 9.

**Findings:**

The application meets the Mining Facilities Maps requirements as outlined in R645-301-742.231.

**MAPS, PLANS, AND CROSS SECTIONS OF MINING OPERATIONS**

Regulatory Reference: 30 CFR Sec. 784.23; R645-301-512, -301-521, -301-542, -301-632, -301-731, -302-323.

**Mining Facilities Maps**

The application meets the requirements Mining Facilities Maps requirements as outlined in R645-301-512 and -521. A deficiency had been identified during the first technical analysis

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(Task ID #2894) with a berm that was depicted on submitted Plate II-3, *4<sup>th</sup> East Portal Surface Facilities*. Upon further review and subsequent phone conversations with John Gefferth from Consol, it was determined that the berm depicted on Plate II-3 was never constructed. A berm was initially planned for the site in order to facilitate surface drainage to Pond No. 9 and away from the country road right-of-way. The road that runs directly adjacent to the 4<sup>th</sup> East Portal Facility (Cowboy Mine Road No. 915) is an Emery Country Road. Emery County widened the road and it was determined that a berm was not necessary. Surface drainage generated in the 4<sup>th</sup> East Portal disturbed area drained naturally to Pond No. 9.

In addition, the cattle guards located at the northeast entrance of the 4<sup>th</sup> East Portal Facility have been corrected to depict the as-built condition at the site.

**Certification Requirements**

The application meets the Certification Requirements as provided for in R645-301-512. Certified Professional Engineer Richard White certified the submitted plate on December 24<sup>th</sup>, 2007.

**Findings:**

The application meets the requirements Mining Facilities Maps requirements as outlined in R645-301-512 and -521.

**RECOMMENDATIONS:**

The application meets the State of Utah R645-Coal Mining Rules.